

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAI'I

HAWAI'I DISABILITY RIGHTS
CENTER;

Plaintiff,

vs.

SUSANNA F. CHEUNG, in her capacity)
as President and Chief Executive Officer)
of Opportunities for the Retarded, Inc.;)
and OPPORTUNITIES FOR THE)
RETARDED, INC., a Hawai'i)
corporation;)

Defendants.)

CIVIL NO. 06-00605 DAE-BMK

AFFIDAVIT OF VERA WAIKIKI

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The undersigned VERA WAIKIKI, having been first duly sworn, hereby
deposes and says that:

1. I have personal knowledge of all matters set forth in this Affidavit.
2. I am an Advocate at the Hawai'i Disability Rights Center ("HDRC"),
the Protection and Advocacy system for the State of Hawai'i. My assigned area of
responsibility includes monitoring the health and safety of persons with
developmental disabilities and/or mental illness who have been placed in, or
receive services from, private providers or institutions.

3. By education and experience, I am a Speech-Language Pathologist, formerly licensed and practicing in this state for 23 years. I have earned both a Bachelor's degree in Elementary Education and a Master's degree in Speech Pathology and Audiology from the University of Hawai'i.

4. I have been employed as a Speech Pathologist in both the federal Headstart program, and the Hawaii State Department of Education, working with children from 3 to 20 years of age with Severe Learning Disabilities, Mental Retardation, Emotional Disturbance, and Other Health Impairments.

5. I have also served as the Program Director for the Waianae Coast Community Mental Health Center's program for children with mental health disorders.

6. As a HDRC Advocate, I am assigned (and successfully resolved) over 100 complex special education cases each year. Many of these cases concern problem behaviors that are manifestations of developmental disabilities and/or mental illness.

7. I have worked with persons with developmental disabilities and/or mental illness for over 30 years.

8. I reviewed the letters from HDRC President Gary L. Smith to ORI President Susanna F. Cheung dated August 28, 2006 and September 1, 2006 in preparation for the records inspection.

9. On September 1, 2006, I reviewed records at ORI relating to HDRC's abuse and neglect investigation.

10. Upon review for the requested records, I found that records had been provided for only six (6) individuals.

11. ORI did not provide records for "each client presently served by ORI and its related business entities, including residents as well as non-resident program participants" as specifically requested in Smith's letter dated August 28, 2006.

12. Furthermore, the records provided by ORI did not include these items that were specifically requested in Smith's letter dated August 28, 2006:

- a. Case management records for each client;
- b. Wage and earnings, vocational training, employment records, and subminimum wage documentation for each client.
- c. Social Security and other public benefits records for each client.
- d. Legal documents, including Letters of Guardianship and other guardianship documents for each client.
- e. Medicaid billing records for each client.

13. The records provided by ORI were not full and complete for each client as requested by Smith's letter dated August 28, 2006.

14. ORI did not provide any records concerning "related corporate and business entities that employ, train, or provide services to ORI clients," including those businesses entities identified by Smith's letter dated August 28, 2006:

- a. 2828 Travel, Inc.
- b. Helemano Plantation, Inc.
- c. Helemano Services & Management, Inc.
- d. ORI Anuenue Hale, Inc.

15. No records manager or corporate officer certified that the records were full and complete, as requested by Smith's letter dated August 28, 2006.

I declare under the penalty of perjury that the foregoing is true and correct to the best of my knowledge.

FURTHER AFFIANT SAYETH NAUGHT.



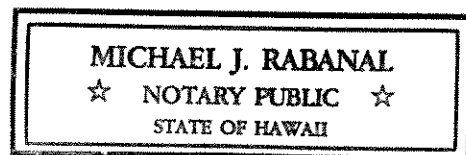
VERNA WAIKIKI

Affiant

Sworn and subscribed before me
this 9th day of November, 2006.



Notary Public, State of Hawai'i



My Commission expires: October 30, 2010